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REMARKS

The above Amendments and these Remarks are in response to the Office action mailed November 16, 2006. Applicants appreciate Examiner's careful review and consideration of the present application. Applicants have amended claims 1, 8, 10-12, and 14-16 in order to more appropriately and patentably define the claimed subject matter. Applicants have also added new claims 17-20. Claims 7 and 13 have been canceled without prejudice. Applicants assert that no new matter is added. It is submitted that all the pending claims 1-6, 8-12, and 14-20 are now placed in condition for allowance.

Claim Rejections Under 35 U.S.C. 102

Claims 1, 3, 4, 9-12, and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by Barnett U.S. Patent Application 2004/0139307 (hereinafter referred to as Barnett).

With regard to Claims 1, 3, 4, 9, and conditionally allowed Claim 8:

Applicants submit that amended claim 1 is now patentable, as follows:

Amended claim 1 recites in part:

"...a basic initialization sub-module for initializing one or more chips of the backplane; and an advanced initialization sub-module for initializing hardware of the backplane..."

Applicants would like to emphasize that Barnett does not disclose or teach the basic initialization sub-module and the advanced initialization sub-module as recited in amended claim 1. Therefore, it is submitted that the system for automatically initializing and diagnosing backplanes of electronic devices of amended claim 1 is distinguishable over Barnett, and is novel under 35 U.S.C. 102(e) in light of Barnett.

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In addition, it is submitted that the above-described differences render amended claim 1 unobvious and patentable over Barnett under 35 U.S.C. 103. In summary, Applicants submit that neither Barnett nor indeed any of the other cited references, alone or in combination, discloses, teaches, or otherwise suggests the invention as currently set forth in claim 1.

Claims 3, 4, and 8-9 are dependent on claim 1. That is, all the limitations of claim 1 are incorporated in claims 3, 4, and 8-9. As detailed above, claim 1 is submitted to be novel, unobvious and patentable under 35 U.S.C. 102(e) and 35 U.S.C. 103 in light of Barnett. Therefore claims 3, 4, and 8-9 should now also be novel, unobvious and patentable over Barnett.

With regard to Claims 10-12 and conditionally allowed Claims 14-15:

Applicants submit that amended claim 10 is now patentable, as follows:

Amended claim 10 recites in part:

"...performing a basic initialization on the backplane; performing a boot initialization and test on the backplane; [and] performing an advanced initialization on the backplane..."

Applicants would like to emphasize that Barnett does not disclose or teach the steps of performing a basic initialization on the backplane, performing a boot initialization and test on the backplane, and performing an advanced initialization on the backplane, as recited in amended claim 10. Therefore, it is submitted that the method for automatically initializing and diagnosing backplanes of electronic devices of amended claim 10 is distinguishable over Barnett, and is novel under 35 U.S.C. 102(e) in light of Barnett.

In addition, it is submitted that the above-described differences render amended claim 10 unobvious and patentable over Barnett under 35 U.S.C. 103. In summary, Applicants submit that neither Barnett nor indeed any of

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the other cited references, alone or in combination, discloses, teaches, or otherwise suggests the invention as currently set forth in claim 10.

Claims 11-12 and 14-15 are dependent on claim 10. That is, all the limitations of claim 10 are incorporated in claims 11-12 and 14-15. As detailed above, claim 10 is submitted to be novel, unobvious and patentable under 35 U.S.C. 102(e) and 35 U.S.C. 103 in light of Barnett. Therefore claims 11-12 and 14-15 should now also be novel, unobvious and patentable over Barnett.

With regard to Claim 16 and new claims 17-20:

Applicants submit that amended claim 16 is now patentable, as follows:

Amended claim 16 recites in part:

"...a basic initialization sub-module for initializing one or more chips of the backplane; and an advanced initialization sub-module for initializing hardware of the backplane..."

Applicants would like to emphasize that Barnett does not disclose or teach the basic initialization sub-module and the advanced initialization sub-module as recited in amended claim 16. Therefore, it is submitted that the system for automatically initializing and diagnosing backplanes of electronic devices of amended claim 16 is distinguishable over Barnett, and is novel under 35 U.S.C. 102(e) in light of Barnett.

In addition, it is submitted that the above-described differences render amended claim 16 unobvious and patentable over Barnett under 35 U.S.C. 103. In summary, Applicants submit that neither Barnett nor indeed any of the other cited references, alone or in combination, discloses, teaches, or otherwise suggests the invention as currently set forth in claim 16.

New claims 17-20 are dependent on claim 16. That is, all the limitations of claim 16 are incorporated in claims 17-20. As detailed above,

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claim 16 is submitted to be novel, unobvious and patentable under 35 U.S.C. 102(e) and 35 U.S.C. 103 in light of Barnett. It is believed that claims 17-20 also represent patentable subject matter.

Claim Rejections Under 35 U.S.C. 103

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Barnett U.S. Patent Application 2004/0139307 in view of Hachamovitch U.S. Patent 6,377,965 (hereinafter referred to as Hachamovitch).

Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barnett U.S. Patent Application 2004/0139307 in view of Cunningham U.S. Patent 5,659,680 (hereinafter referred to as Cunningham).

With regard to Claim 2:

According to Applicants' above assertions, claim 1 is patentable under 35 U.S.C. 102 over Barnett, and the differences between Barnett and the system of claim 1 render the claimed system unobvious over Barnett alone. Hachamovitch does not provide any additional teaching to the teachings of Barnett which might lead one of ordinary skill in the art to provide the system of claim 1. That is, claim 1 is submitted to be unobvious and patentable over Barnett in view of Hachamovitch under 35 U.S.C. 103(a). On this basis, claim 2 should also be allowable as being dependent on independent claim 1.

With regard to Claims 5 and 6:

According to Applicants' above assertions, claim 1 is patentable under 35 U.S.C. 102 over Barnett, and the differences between Barnett and the system of claim 1 render the claimed system unobvious over Barnett alone. Cunningham does not provide any additional teaching to the teachings of Barnett which might lead one of ordinary skill in the art to provide the system of claim 1. That is, claim 1 is submitted to be unobvious and

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patentable over Barnett in view of Cunningham under 35 U.S.C. 103(a). On this basis, claims 5 and 6 should also be allowable as being dependent on independent claim 1.

Allowable Subject Matter

Claims 7, 8, 13, 14, and 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The features of dependent claim 7 have been added to the base claim 1, and claim 7 has been canceled without prejudice. As detailed above, amended claim 1 is submitted to be patentable. Therefore amended claim 8 should also be patentable in its current dependent form.

The features of dependent claim 13 have been added to the base claim 10, and claim 13 has been canceled without prejudice. As detailed above, amended claim 10 is submitted to be patentable. Therefore amended claims 14 and 15 should also be patentable in their current dependent forms.

In view of the above claim amendments and remarks, the subject application is believed to be in a condition for allowance, and an action to such effect is earnestly solicited.

Respectfully submitted,
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By



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